

JUL 18. 2006 3:06PM 312 616 5700

NO. 5766 P. 1

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DATE: JULY 18, 2006

NUMBER OF PAGES (INCLUDING  
THIS TRANSMITTAL COVER SHEET): 15

OUR REFERENCE: 213045 (338-06)

FROM: BRUCE M. GAGALA/MG  
REGISTRATION NO. 28,844

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TO: Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

FACSIMILE NUMBER: 571/273-8300

IN RE APPLN. OF: BOYD  
APPLICATION NO. 09/914,708  
FILED: DECEMBER 20, 2001  
FOR: VACUOLAR-TYPE (H+)- ATPASE-INHIBITING COMPOUNDS,  
COMPOSITIONS, AND USES THEREOF  
GROUP ART UNIT: 1617  
EXAMINER: WANG, S.  
ATTORNEY DOCKET: 213045

**ATTACHED PLEASE FIND THE FOLLOWING DOCUMENTS:**

- FORM PTO-1083 IN DUPLICATE (2 PGS.);
- REPLY TO OFFICE ACTION W/ CERTIFICATE OF TRANSMISSION (12 PGS.);
- FAX COVER SHEET.

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NO. 5766 P. 2

FORM PTO-1083

JUL 18 2006

PATENT

Attorney Docket No. 213045

Client Reference No. E-244-1997/3-US-06

Date: July 18, 2006

In re Application of: Boyd

Application No. 09/914,708

Filed: December 20, 2001

For: VACUOLAR-TYPE (H+)- ATPASE-INHIBITING COMPOUNDS, COMPOSITIONS, AND USES THEREOF

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a reply to office action in the subject application.

- ☐ Small entity status is claimed for this application under 37 CFR 1.27.
- ☒ Petition for an extension of time for the period noted below, as well as for any additional period necessary to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- ☐ Other:
- ☒ Please charge Deposit Account No. 12-1216 in the total amount indicated below. A duplicate copy of this transmittal sheet is enclosed herewith.

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
TIME EXTENSION PETITION FEE			none		\$ 0.00		\$ 0.00	
subtract time extension fee previously paid			none		(\$ 0.00)		(\$ 0.00)	
CLAIM FEE	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADD'L CLAIM FEE	RATE	ADD'L CLAIM FEE
TOTAL	17	MINUS	31	= 0	x 25 =	\$	x 50 =	\$0.00
INDEPENDENT	2	MINUS	3	= 0	x 100 =	\$	x 200 =	\$0.00
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 180 =	\$	+ 360 =	\$
TOTAL AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT					TOTAL	\$	TOTAL	\$0.00

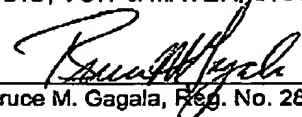
- ☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT &amp; MAYER, LTD.

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By

  
 Bruce M. Gagala, Reg. No. 28,844

Amendment or ROA Transmittal (Revised 5/9/05)

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NO. 5766 P. 3

FORM PTO-1083

JUL 18 2006

PATENT  
Attorney Docket No. 213046  
Client Reference No. E-244-1997/3-US-06  
Date: July 18, 2006

In re Application of: Boyd

Application No. 09/914,708

Filed: December 20, 2001

For: VACUOLAR-TYPE (H+)- ATPASE-INHIBITING COMPOUNDS, COMPOSITIONS, AND USES THEREOF

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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TIME EXTENSION PETITION FEE			none		\$ 0.00		\$ 0.00	
subtract time extension fee previously paid			none		(\$ 0.00)		(\$ 0.00)	
CLAIM FEE	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADD'L CLAIM FEE	RATE	ADD'L CLAIM FEE
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Respectfully submitted,

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Chicago, Illinois 60601-6780  
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(312) 616-5700 (facsimile)By   
Bruce M. Gagala, Reg. No. 28,844

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 09/914,708

Applicant: Boyd

Filed: December 20, 2001

TC/AU: 1617

Examiner: Wang, S.

Docket No.: 213045 (DHHS Reference No. E-244-1997/3-US-06)

Customer No.: 45733

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**RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE**

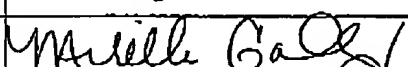
## REPLY TO OFFICE ACTION

Sir:

In reply to the Office Action dated April 19, 2006, please enter the following amendments and consider the following remarks.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.

TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, being facsimile transmitted to the U.S. Patent and Trademark Office at fax number: 571-273-8300.			
Name (Print/Type)	Mirella Gallegos		
Signature		Date	July 18, 2006